

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S8141–S8233*

**Measures Introduced:** One bill and two resolutions were introduced, as follows: S. 2902, and S. Res. 320–321. **Page S8201**

**Measures Passed:**

***Honoring Valley Sports American Little League Baseball Team:*** Senate agreed to S. Res. 320, honoring the Valley Sports American Little League baseball team from Louisville, Kentucky for winning the 2002 Little League Baseball World Series.

**Pages S8205, S8229–30**

**Department of the Interior Appropriations:** Senate began consideration of H.R. 5093, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, taking action on the following amendments proposed thereto: **Pages S8141–48**

Adopted:

Byrd/Burns Amendment No. 4473 (to Amendment No. 4472), to make permanent a provision relating to the National Business Center. **Page S8143**

Byrd/Burns Amendment No. 4474 (to Amendment No. 4472), to make a technical correction.

**Pages S8143–44**

Byrd Amendment No. 4475 (to Amendment No. 4472), to make a technical correction. **Page S8144**

Pending:

Byrd Amendment No. 4472, in the nature of a substitute. **Page S8143**

Byrd Amendment No. 4480 (to Amendment No. 4472), to provide funds to repay accounts from which funds were borrowed for emergency wildfire suppression. **Pages S8144–45**

Daschle Modified Amendment No. 4481 (to Amendment No. 4472), to provide emergency disaster assistance to agricultural producers.

**Pages S8145–48**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, September 5, 2002. **Page S8230**

**Homeland Security Act:** Senate continued consideration of H.R. 5005, to establish the Department of

Homeland Security, taking action on the following amendments proposed thereto:

**Pages S8155–80, S8183–94**

Pending:

Lieberman Amendment No. 4471, in the nature of a substitute. **Pages S8155–80**

Wellstone Amendment No. 4486 (to Amendment No. 4471), to prohibit the Secretary of Homeland Security from contracting with any corporate expatriate. **Pages S8183–86**

Reid Amendment No. 4490 (to Amendment No. 4486), in the nature of a substitute. **Pages S8186–87**

Smith (N.H.) Amendment No. 4491 (to Amendment No. 4471), to amend title 49, United States Code, to improve flight and cabin security on passenger aircraft. **Pages S8187–93**

Reid (for Boxer/Smith (N.H.)) Amendment No. 4492 (to Amendment No. 4491), to amend title 49, United States Code, to improve flight and cabin security on passenger aircraft. **Pages S8193–94**

A unanimous-consent agreement was reached providing for further consideration of the bill at 1 p.m., on Thursday, September 5, 2002. **Page S8230**

**Appointment:**

***Lands Title Report Commission:*** The Chair, on behalf of the Chairman of the Banking, Housing and Urban Affairs Committee, pursuant to Public Law 106–569, announced the appointment of the following individuals to be members of the Lands Title Report Commission: Dore A. Bietz of Toulumne, California, Juel C. Burnette III of Brandon, South Dakota, Thomas Livermont of Pierre, South Dakota, and Thomas H. Shipps of Durango, Colorado.

**Page S8229**

**Messages From the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report concerning the justification of the Australia Group and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; to the Committee on Foreign Relations. (PM–106) **Page S8199**

**Nominations Received:** Senate received the following nominations:

Rafael Cuellar, of New Jersey, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

Michael Scott, of North Carolina, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of term years.

Francis X. Taylor, of Maryland, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

Francis X. Taylor, of Maryland, to be an Assistant Secretary of State (Diplomatic Security).

Grover Joseph Rees, of Louisiana, to be Ambassador to the Democratic Republic of East Timor.

Elizabeth J. Pruet, of Arkansas, to be a Member of the National Museum Services Board for a term expiring December 6, 2004.

Judith Ann Rapanos, of Michigan, to be a Member of the National Museum Services Board for a term expiring December 6, 2004.

Judith Ann Rapanos, of Michigan, to be a Member of National Museum Services Board for a term expiring December 6, 2007. (Reappointment)

Edwin Joseph Rigaud, of Ohio, to be a Member of National Museum Services Board for a term expiring December 6, 2007. (Reappointment)

Edwin Joseph Rigaud, of Ohio, to be a Member of National Museum Services Board for a term expiring December 6, 2002.

Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2003.

Margaret Scarlett, of Wyoming, to be a Member of the National Museum Services Board for a term expiring December 6, 2007.

Beth Walkup, of Arizona, to be a Member of the National Museum Services Board for a term expiring December 6, 2003.

David Donath, of Vermont, to be a Member of the National Museum Services Board for a term expiring December 6, 2004.

Nancy S. Dwight, of New Hampshire, to be a Member of the National Museum Services Board for a term expiring December 6, 2005.

A. Wilson Greene, of Virginia, to be a Member of the National Museum Services Board for a term expiring December 6, 2004.

Maria Mercedes Guillemard, of Puerto Rico, to be a Member of the National Museum Services Board for a term expiring December 6, 2005.

Peter Hero, of California, to be a Member of the National Museum Services Board for a term expiring December 6, 2006.

Terry L. Maple, of Georgia, to be a Member of the National Museum Services Board for a term expiring December 6, 2005.

Thomas E. Lorentzen, of California, to be a Member of the National Museum Services Board for a term expiring December 6, 2006.

Peter Marzio, of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2006.

Routine lists in the Air Force, Navy.

**Pages S8230–33**

**Executive Communications:** **Pages S8199–S8201**

**Additional Cosponsors:** **Pages S8201–03**

**Statements on Introduced Bills/Resolutions:**  
**Pages S8203–05**

**Additional Statements:** **Pages S8197–99**

**Amendments Submitted:** **Pages S8205–29**

**Authority for Committees to Meet:** **Page S8229**

**Privilege of the Floor:** **Page S8229**

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 5:31 p.m., until 9:30 a.m., on Thursday, September 5, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8230).

## Committee Meetings

*(Committees not listed did not meet)*

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded hearings on the nominations of John R. Dawson, of the District of Columbia, to be Ambassador to the Republic of Peru, Antonio O. Garza, Jr., of Texas, to be Ambassador to Mexico, and Linda Ellen Watt, of Florida, to be Ambassador to the Republic of Panama, after the nominees testified and answered questions in their own behalf. Mr. Dawson was introduced by former Senator Dole, and Mr. Garza was introduced by Senator Hutchison.

### BUSINESS MEETING

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported S. 2758, entitled "The Child Care and Development Block Grant Amendments Act", with an amendment in the nature of a substitute.

### CLEAN AIR STANDARDS

*Committee on Health, Education, Labor, and Pensions:* On Tuesday, September 3, Subcommittee on Public Health held hearings on proposed improvements to the New Source Review (NSR) program under the

Clean Air Act, which would change the requirements of companies to install state-of-the-art pollution control equipment, and related provisions of S. 556, to amend the Clean Air Act to reduce emissions from electric powerplants, and S. 2815, to amend the Clean Air Act to reduce air pollution through expansion of cap and trade programs, and to provide an alternative regulatory classification for units subject to the cap and trade programs, receiving testimony from Jeffrey Holmstead, Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Kenneth Olden, Director, National Institute of Environmental Health Sciences, National Institutes of Health, Department of Health and Human Services; Carol M. Browner, Albright Group, Washington, D.C., former Administrator, Environmental Protection Agency; George D. Thurston, New York University School of Medicine/National Institute of Environmental Health Sciences, New York, New York; and Clay Ballantine, Asheville, North Carolina.

#### AMBER ALERT

*Committee on the Judiciary:* Subcommittee on Technology, Terrorism, and Government Information concluded hearings to examine S. 2896, to enhance the operation of the AMBER Alert communications

network in order to facilitate the recovery of abducted children, to provide for enhanced notification on highways of alerts and information on such children, after receiving testimony from Senator Hutchison; Joseph Farrow, California Highway Patrol, Sacramento; Robbie Callaway, National Center for Missing and Exploited Children, Alexandria, Virginia; Edward O. Fritts, National Association of Broadcasters, Washington, D.C.; Sharon Timmons, Riverside, California; and Marc Klaas, Sausalito, California.

#### AGEISM IN MEDIA

*Special Committee on Aging:* Committee concluded hearings to examine the images of aging and ageism in the media, advertising, entertainment, and marketing and its impact on the self-esteem of older adults, after receiving testimony from Robert N. Butler, Mount Sinai School of Medicine, International Longevity Center—USA, New York, New York; Robert Snyder, Mature Market Group, Dallas, Texas; Paul Kleyman, Aging Today, San Francisco, California; Becca R. Levy, Yale University Department of Epidemiology and Public Health, New Haven, Connecticut; and Doris Roberts, Los Angeles, California.

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## House of Representatives

### *Chamber Action*

**Measures Introduced:** 18 public bills, H.R. 5316–5333 and; 4 resolutions, H.Con.Res. 459–461, and H. Res. 516 were introduced. **Pages H6059–60**

**Reports Filed:** Reports were filed today as follows:

H.R. 4727, to reauthorize the national dam safety program, amended (H. Rept. 107–626);

H.R. 2099, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver National Historic Reserve, amended (H. Rept. 107–627);

H.R. 2534, to authorize the Secretary of the Interior to conduct a special resource study of the Lower Los Angeles River and San Gabriel River watersheds in the State of California, amended (H. Rept. 107–628);

H.R. 3223, to authorize the Secretary of the Interior, through the Bureau of Reclamation, to construct the Jicarilla Apache Nation Municipal Water

Delivery and Wastewater Collection Systems in the State of New Mexico, amended (H. Rept. 107–629);

H.R. 3407, to amend the Indian Financing Act of 1974 to improve the effectiveness of the Indian loan guarantee and insurance program, amended (H. Rept. 107–630);

H.R. 3449, to revise the boundaries of the George Washington Birthplace National Monument (H. Rept. 107–631);

H.R. 3534, to provide for the settlement of certain land claims of Cherokee, Choctaw, and Chickasaw Nations to the Arkansas Riverbed in Oklahoma, amended (H. Rept. 107–632);

H.R. 4638, to reauthorize the Mni Wiconi Rural Water Supply Project (H. Rept. 107–633);

H.R. 4682, to revise the boundary of the Allegheny Portage Railroad National Historic Site (H. Rept. 107–634);

H.R. 4739, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and

outside of the service area of the City of Austin Water and Wastewater Utility, Texas (H. Rept. 107-635);

H.R. 4917, to provide for an exchange of lands with the United Water Conservation District of California to eliminate private inholdings in the Los Padres National Forest (H. Rept. 107-636);

H.R. 4953, to direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road, amended (H. Rept. 107-637);

S. 238, to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River Basin, Oregon (H. Rept. 107-638);

S. 1105, to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park (H. Rept. 107-639); and

H.R. 3995, to amend and extend certain laws relating to housing and community opportunity (H. Rept. 107-640 Pt. 1). **Pages H 6058-59**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Culberson to act as Speaker pro tempore for today. **Page H 6001**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Congressional Philharmonic Society:** H. Con. Res. 183, expressing the sense of Congress regarding the United States Congressional Philharmonic Society and its mission of promoting musical excellence throughout the educational system and encouraging people of all ages to commit to the love and expression of musical performance; **Pages H 6003-05**

**John F. Kennedy Center Plaza Authorization:** H.R. 5012, to amend the John F. Kennedy Center Act to authorize the Secretary of Transportation to carry out a project for construction of a plaza adjacent to the John F. Kennedy Center for the Performing Arts; **Pages H 6005-09**

**Great Lakes Legacy Act of 2002:** H.R. 1070, amended, to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to make grants for remediation of sediment contamination in areas of concern and to authorize assistance for research and development of innovative technologies for such purposes. Agreed to amend the title so as to read: "A bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to carry out projects and conduct research for remediation of sediment con-

tamination in areas of concern in the Great Lakes, and for other purposes."; **Pages H 6009-12**

**Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center, Washington, D.C.:** H.R. 3287, to redesignate the facility of the United States Postal Service located at 900 Brentwood Road, NE, in Washington, D.C., as the "Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center" (agreed to by a 2/3 yeand-nay vote of 401 yeas with none voting "nay," Roll No. 372); **Pages H 6012-15, H 6029**

**Barney Apodaca Post Office:** H.R. 5308, to designate the facility of the United States Postal Service located at 301 South Howes Street in Fort Collins, Colorado, as the "Barney Apodaca Post Office;" **Pages H 6015-16**

**Thomas E. Burnett, Jr. Post Office Building, Bloomington, Minnesota:** H.R. 5207, to designate the facility of the United States Postal Service located at 6101 West Old Shakopee Road in Bloomington, Minnesota, as the "Thomas E. Burnett, Jr. Post Office Building;" and **Pages H 6016-18**

**Suspension Failed—Education Savings and School Excellence Permanence Act:** The House failed to suspend the rules and pass H.R. 5203, amended, to provide that the education savings incentives of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent (failed to pass by 2/3 yeand-nay vote of 213 yeas to 188 nays, Roll No. 371). **Pages H 6022-29**

**Suspension—Proceedings Postponed:** The House completed debate on the motion to suspend the rules and agreed to H. Res. 94, honoring the contributions of Venus and Serena Williams. Further proceedings were postponed until Thursday, Sept. 5. **Pages H 6018-22**

**Order of Business—Dam Safety and Security Act:** Agreed that it be in order at any time for the Speaker to declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of H.R. 4727, to reauthorize the national dam safety program. General debate shall not exceed one hour. After general debate the bill shall be considered under the five-minute rule. It shall be in order to consider as an original bill for purpose of amendment, the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill (H. Rept. 107-626). During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an

amendment has caused it to be printed in the Congressional Record. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the Bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. **Page H6018**

**Presidential Message—Effectiveness of the Australia Group:** Read a message from the President wherein he, consistent with the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, certified that the Australia Group members continue to maintain equally effective controls over the export of: toxic chemicals and remain a viable mechanism for limiting the spread of chemical and biological weapons related materials and technology—referred to the Committee on International Relations. **Page H6028**

**Recess:** The House recessed at 5:20 p.m. and reconvened at 6:31 p.m. **Page H6028**

**Senate Messages:** Messages received from the Senate today appear on pages H6001–02.

**Referrals:** S. 2037 was referred to the Committees on Science, Transportation and Infrastructure, and Energy and Commerce. S. 691, S. 1227, S. 1240, S. 1894, S. 1907, and S. 1946 were referred to the Committee on Resources. S. 1010, S. 1843, S. 1852, and S. 2558 were referred to the Committee on Energy and Commerce. S. 1325 was referred to the Committees on Resources and Agriculture. S. 1339 was referred to the Committees on the Judiciary and International Relations. S. 2549 and S. Con. Res. 137 were referred to the Committee on Education and the Workforce. S. 812, S. 1649, S. 2487, and S. 2810 were held at the desk. **PageH 6040**

**Quorum Calls—Votes:** Two yea-and-nay votes developed during the proceedings of the House today and appear on pages H6028–29, H6029. There were no quorum calls.

**Adjournment:** The House met at 2 p.m. and adjourned at 8:49 p.m.

## Committee Meetings

### CONSUMER PRODUCT SAFETY COMMISSION—NEW CHAIRMAN'S AGENDA

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "The Consumer Product Safety Commission: The New Chairman's Agenda." Testi-

mony was heard from Harold Stratton, Chairman, Consumer Product Safety Commission.

## COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 5, 2002

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Agriculture, Nutrition, and Forestry:* Subcommittee on Forestry, Conservation, and Rural Revitalization, to hold hearings to examine the decline of oak tree populations in southern states caused by prolonged drought and red oak borer insect infestation, 9 a.m., SR–328A.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine the importance of financial literacy among college students, 10 a.m., SD–538.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine the nominations of Roger P. Nober, of Maryland, to be a Member of the Surface Transportation Board, Department of Transportation, and David McQueen Laney, of Texas, to be a Member of the Reform Board (Amtrak), 2:30 p.m., SR–253.

*Committee on Health, Education, Labor, and Pensions:* business meeting to consider S. 2328, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act to ensure a safe pregnancy for all women in the United States, to reduce the rate of maternal morbidity and mortality, to eliminate racial and ethnic disparities in maternal health outcomes, to reduce pre-term, labor, to examine the impact of pregnancy on the short and long term health of women, to expand knowledge about the safety and dosing of drugs to treat pregnant women with chronic conditions and women who become sick during pregnancy, to expand public health prevention, education and outreach, and to develop improved and more accurate data collection related to maternal morbidity and mortality; and S. 2817, to authorize appropriations for fiscal years 2003, 2004, 2005, 2006, and 2007 for the National Science Foundation, 10 a.m., SD–430.

*Select Committee on Intelligence:* to hold closed hearings on intelligence matters, 2:30 p.m., SH–219.

*Committee on the Judiciary:* business meeting to consider pending business items, 10 a.m., SD–226.

### House

*Committee on Appropriations,* to mark up the Energy and Water Development Appropriations for fiscal year 2003, 2 p.m., 2359 Rayburn.

Subcommittee on Foreign Operations, to mark up appropriations for fiscal year 2003, 10 a.m., H–140 Capitol.

*Committee on Armed Services,* Special Oversight Panel on Terrorism, hearing on a report entitled "Counter-Terrorism Intelligence Capabilities and Performance of the CIA, FBI, and NSA Prior to 9/11," 9:30 a.m., 2212 Rayburn.

*Committee on Education and the Workforce,* to mark up H.R. 5091, Canceling Loans to Allow School Systems to

Attract Classroom Teachers Act, 10:30 a.m., 2175 Rayburn.

*Committee on Energy and Commerce*, to mark up the following measures: H.R. 3880, to provide a temporary waiver from certain transportation conformity requirements and metropolitan transportation planning requirements under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been destroyed by acts of terrorism; H.R. 4793, Mosquito Abatement for Safety and Health Act; H.R. 4014, Rare Diseases Orphan Product Development Act of 2002; H. Con. Res. 189, expressing the sense of the Congress regarding inflammatory bowel disease; H. Con. Res. 320, expressing the sense of Congress regarding Scleroderma; H. Con. Res. 291, expressing the sense of the Congress with respect to the disease endometriosis; and H. Con. Res. 435, expressing the sense of the Congress that the therapeutic technique known as rebirthing is a dangerous and harmful practice and should be prohibited, 10 a.m., 2123 Rayburn.

*Committee on the Judiciary*, to continue markup of H.R. 4600, Help Efficient, Accessible, Low Cost, Timely Health Care (HEALTH) Act of 2002; and to mark up the following bills: H.R. 1701, Consumer Rental Purchase Agreement; S. 2690, to reaffirm the reference to one Nation under God in the Pledge of Allegiance; H.R. 4125, Federal Courts Improvement Act of 2002; H.R. 4689, Fairness in Sentencing Act of 2002; and H.R. 4561, Federal Agency Protection of Privacy Act, 10 a.m., 2141 Rayburn.

*Committee on Resources*, to discuss the Administration's Healthy Forests: An Initiative for Wildlife Prevention and Stronger Communities; and to hold a hearing on the following measures: H.R. 5214, National Forest Fire Pre-

vention Act; H.R. 5309, Wildlife Prevention and Forest Health Protection Act of 2002; and the Healthy Forests Reform Act of 2002, 9:30 a.m., 1324 Longworth.

Subcommittee on National Parks, Recreation and Public Lands, hearing on the following bills: H.R. 282, to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations; H.R. 3747, Bainbridge Island Japanese-American Memorial Study Act of 2002; H.R. 4692, to amend the Act entitled 'An Act to authorize the Establishment of the Andersonville National Historic Site in the State of Georgia, and for other purposes', to provide for the addition of certain donated lands to the Andersonville National Historic Site; and a measure to provide for an exchange of certain private property in Colorado and certain Federal property in Utah, 10 a.m., 1334 Longworth.

*Committee on Transportation and Infrastructure*, Subcommittee on Highways and Transit, hearing on Driver's License Security Issues, 10 a.m., 2167 Rayburn.

*Committee on Ways and Means*, to mark up H.R. 5193, Back to School Tax Relief Act of 2002, 2 p.m., 1100 Longworth.

### Joint Meetings

*Conference*: meeting of conferees, in closed session, on H.R. 4546, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, 3 p.m., HC-8, Capitol.

*Next Meeting of the SENATE*

9:30 a.m., Thursday, September 5

## Senate Chamber

**Program for Thursday:** Senate will consider H.R. 5093, Department of the Interior and Related Agencies Appropriations Act.

At 12 noon, Senate will be in a period of morning business.

At 1 p.m., Senate will continue consideration of H.R. 5005, Homeland Security Act.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Thursday, September 5

## House Chamber

**Program for Thursday:** Consideration of H.R. 4727, Dam Safety and Security Act (unanimous consent, amendments under the five minute rule);

Motion to go to conference on H.R. 5011, Military Construction Appropriations; and

Motion to go to conference on H.R. 5010, Department of Defense Appropriations.

## Extensions of Remarks, as inserted in this issue

## HOUSE

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